

### SUBCHAPTER III—RIGHTS, PRIVILEGES, AND ASSETS OF CORPORATION

#### §§ 2297c to 2297c-7. Repealed. Pub. L. 104-134, title III, § 3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349

Section 2297c, act Aug. 1, 1946, ch. 724, title II, § 1401, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2934; amended Pub. L. 102-572, title IX, § 902(b)(1), Oct. 29, 1992, 106 Stat. 4516, related to marketing and contracting authority of United States Enrichment Corporation.

Section 2297c-1, act Aug. 1, 1946, ch. 724, title II, § 1402, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2934, related to Corporation pricing policy for Department of Energy and other customers.

Section 2297c-2, act Aug. 1, 1946, ch. 724, title II, § 1403, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2935, related to leasing of gaseous diffusion facilities of Department of Energy.

Section 2297c-3, act Aug. 1, 1946, ch. 724, title II, § 1404, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2935, related to capital structure of Corporation.

Section 2297c-4, act Aug. 1, 1946, ch. 724, title II, § 1405, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2936, authorized Corporation to apply for licenses for use of patented inventions and discoveries.

Section 2297c-5, act Aug. 1, 1946, ch. 724, title II, § 1406, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2936, related to liability for acts committed before and after transition date.

Section 2297c-6, act Aug. 1, 1946, ch. 724, title II, § 1407, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2937, related to transfer of uranium inventories to Corporation.

Section 2297c-7, act Aug. 1, 1946, ch. 724, title II, § 1408, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2937, related to purchase of highly enriched uranium from former Soviet Union.

#### EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

### SUBCHAPTER IV—PRIVATIZATION OF CORPORATION

#### §§ 2297d, 2297d-1. Repealed. Pub. L. 104-134, title III, § 3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349

Section 2297d, act Aug. 1, 1946, ch. 724, title II, § 1501, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2937, related to strategic plan for privatization of United States Enrichment Corporation.

Section 2297d-1, act Aug. 1, 1946, ch. 724, title II, § 1502, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2938, related to implementation of privatization plan of Corporation.

#### EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

### SUBCHAPTER V—AVLIS AND ALTERNATIVE TECHNOLOGIES FOR URANIUM ENRICH- MENT

#### §§ 2297e to 2297e-7. Repealed. Pub. L. 104-134, title III, § 3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349

Section 2297e, act Aug. 1, 1946, ch. 724, title II, § 1601, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106

Stat. 2939, related to assessment by United States Enrichment Corporation of viability of commercialization of AVLIS (atomic vapor laser isotope separation technology) and alternative uranium enrichment technologies.

Section 2297e-1, act Aug. 1, 1946, ch. 724, title II, § 1602, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2939, related to transfer of rights and property to Corporation.

Section 2297e-2, act Aug. 1, 1946, ch. 724, title II, § 1603, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2940, related to predeployment activities by Corporation.

Section 2297e-3, act Aug. 1, 1946, ch. 724, title II, § 1604, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2940; amended Pub. L. 102-572, title IX, § 902(b)(2), Oct. 29, 1992, 106 Stat. 4516, related to Corporation sponsorship of private for-profit corporation to construct AVLIS and alternative technologies.

Section 2297e-4, act Aug. 1, 1946, ch. 724, title II, § 1605, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to AVLIS Commercialization Fund within Corporation.

Section 2297e-5, act Aug. 1, 1946, ch. 724, title II, § 1606, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to Department research and development assistance.

Section 2297e-6, act Aug. 1, 1946, ch. 724, title II, § 1607, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to site selection.

Section 2297e-7, act Aug. 1, 1946, ch. 724, title II, § 1608, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to exclusion from Price-Anderson coverage.

#### EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

### SUBCHAPTER VI—LICENSING AND REGU- LATION OF URANIUM ENRICHMENT FA- CILITIES

#### § 2297f. Gaseous diffusion facilities

##### (a) Issuance of standards

Within 2 years after October 24, 1992, the Nuclear Regulatory Commission shall establish by regulation such standards as are necessary to govern the gaseous diffusion uranium enrichment facilities of the Department in order to protect the public health and safety from radiological hazard and provide for the common defense and security. Regulations promulgated pursuant to this subsection shall, among other things, require that adequate safeguards (within the meaning of section 2167 of this title) are in place.

##### (b) Annual report

###### (1) In general

Not later than the date on which a certificate of compliance is issued under subsection (c), the Nuclear Regulatory Commission, in consultation with the Department and the Environmental Protection Agency, shall report to the Congress on the status of health, safety, and environmental conditions at the gaseous diffusion uranium enrichment facilities of the Department.

###### (2) Required determination

Such report shall include a determination regarding whether the gaseous diffusion ura-

nium enrichment facilities of the Department are in compliance with the standards established under subsection (a) and all applicable laws.

**(c) Certification process**

**(1) Establishment**

The Nuclear Regulatory Commission shall establish a certification process to ensure that the Corporation complies with standards established under subsection (a).

**(2) Periodic application for certificate of compliance**

The Corporation shall apply to the Nuclear Regulatory Commission for a certificate of compliance under paragraph (1) periodically, as determined by the Commission, but not less than every 5 years. The Commission shall review any such application and any determination made under subsection (b)(2) shall be based on the results of any such review.

**(3) Treatment of certificate of compliance**

The requirement for a certificate of compliance under paragraph (1) shall be in lieu of any requirement for a license for any gaseous diffusion facility of the Department leased by the Corporation.

**(4) NRC review**

**(A) In general**

The Nuclear Regulatory Commission, in consultation with the Environmental Protection Agency, shall review the operations of the Corporation with respect to any gaseous diffusion uranium enrichment facilities of the Department leased by the Corporation to ensure that public health and safety are adequately protected.

**(B) Access to facilities and information**

The Corporation and the Department shall cooperate fully with the Nuclear Regulatory Commission and the Environmental Protection Agency and shall provide the Nuclear Regulatory Commission and the Environmental Protection Agency with the ready access to the facilities, personnel, and information the Nuclear Regulatory Commission and the Environmental Protection Agency consider necessary to carry out their responsibilities under this subsection. A contractor operating a Corporation facility for the Corporation shall provide the Nuclear Regulatory Commission and the Environmental Protection Agency with ready access to the facilities, personnel, and information of the contractor as the Nuclear Regulatory Commission and the Environmental Protection Agency consider necessary to carry out their responsibilities under this subsection.

**(C) Limitation**

The Nuclear Regulatory Commission shall limit its finding under subsection (b)(2) to a determination of whether the facilities are in compliance with the standards established under subsection (a).

**(d) Requirement for operation**

The gaseous diffusion uranium enrichment facilities of the Department may not be operated

by the Corporation unless the Nuclear Regulatory Commission, in consultation with the Environmental Protection Agency, makes a determination of compliance under subsection (b) or approves a plan prepared by the Department for achieving compliance required under subsection (b).

(Aug. 1, 1946, ch. 724, title II, § 1701, as added Pub. L. 102-486, title XI, § 1101, Oct. 24, 1992, 106 Stat. 2951; amended Pub. L. 104-134, title III, § 3116(b)(3), Apr. 26, 1996, 110 Stat. 1321-349; Pub. L. 105-362, title XII, § 1202, Nov. 10, 1998, 112 Stat. 3292.)

AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105-362 substituted “Not later than the date on which a certificate of compliance is issued under subsection (c), the Nuclear” for “The Nuclear” and struck out “at least annually” after “report”.

1996—Subsec. (c)(2). Pub. L. 104-134 amended heading and text of par. (2) generally. Prior to amendment, text read as follows: “The Corporation shall apply at least annually to the Nuclear Regulatory Commission for a certificate of compliance under paragraph (1). The Nuclear Regulatory Commission, in consultation with the Environmental Protection Agency, shall review any such application and any determination made under subsection (b)(2) of this section shall be based on the results of any such review.”

REFERENCES TO UNITED STATES ENRICHMENT CORPORATION

References to the Corporation, meaning the United States Enrichment Corporation, deemed, as of the privatization date (July 28, 1998), to be references to the private corporation, see section 3116(e) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

**§ 2297f-1. Licensing of other technologies**

**(a) In general**

Corporation facilities using alternative technologies for uranium enrichment, including AVLIS, shall be licensed under sections 2073, 2093, and 2243 of this title.

**(b) Costs for decontamination and decommissioning**

The Corporation shall provide for the costs of decontamination and decommissioning of any Corporation facilities described in subsection (a) in accordance with the requirements of the amendments made by section 5 of the Solar, Wind, Waste, and Geothermal Power Production Act of 1990.

(Aug. 1, 1946, ch. 724, title II, § 1702, as added Pub. L. 102-486, title XI, § 1101, Oct. 24, 1992, 106 Stat. 2953; amended Pub. L. 104-134, title III, § 3116(b)(4), Apr. 26, 1996, 110 Stat. 1321-349.)

REFERENCES IN TEXT

Section 5 of the Solar, Wind, Waste, and Geothermal Power Production Act of 1990, referred to in subsec. (b), is section 5 of Pub. L. 101-575, Nov. 15, 1990, 104 Stat. 2835, which enacted section 2243 of this title and amended sections 2014, 2061, 2201, and 2284 of this title.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-134 substituted “including” for “other than” and “sections 2073, 2093, and 2243” for “sections 2073 and 2093”.